

ATTACHMENT A

Remarks

In the latest Office Action, the previous rejection has been withdrawn and claims 1, 2, 8-11, 13, 17, 21, 24 and 26 have been rejected under 35 U.S.C. 103(a) as being “unpatentable over” Young in view of Lawler. In addition, claims 5, 6 and 15 have been rejected under 35 U.S.C. 103 (a) as being “unpatentable over” the Young and Lawler patents “further in view of Hoff” while claims 7, 16 and 20 have been rejected under 35 U.S.C. 103(a) as being “unpatentable over” the Young and Lawler patents in view and “further in view of Strubbe et al.” These rejections are respectfully traversed.

In rejecting claim 1, the Examiner concedes that “Young fails to explicitly disclose the method of receiving user input at least partially determinative of a recording reminder time for the scheduled recording, with the user input being non-determinative of the recording time.” The Examiner further concedes that “Young fails to explicitly disclose wherein outputting of the recording reminder signal comprises outputting a message to at least one user of the computerized system via a network communications device associated with at least one user of the computerized system.”

The Examiner contends that the Lawler patent makes up the deficiencies of the Young patent as a reference against the claims, and points out that the Lawler reference discloses “a system for informing a user of an interactive viewing system that a selected program is available for viewing and for allowing a user to select a future program for later reminding and recording, comprising a network 14 of Figure 1 (see Fig. 1; and the previous Fig. 1 col. 3, lines 57 to col. 4, lines 37), wherein a user may wish to set a reminder for the future program, or request recording of a future program.” The Examiner further notes that the Lawler system “stores and monitors the reminders sent by all users and shortly before a selected program becomes available, reminds each user that has set a reminder for that program that the program is about to begin. The Examiner

additionally states that in order to “remind the user, the system displays a reminder message identifying the program and indicating that the program will be available shortly (see col. 3, lines 37-50).”

The Examiner concludes that the first feature conceded as not being explicitly disclosed in Young somehow follows from the Lawler reference because automatically reminding the user, via a network, of previously set “reminder (or record) a selected program” provides a “desirable advantage.” The Examiner further contends that it “would have been obvious to further modify Young by realizing Young with the means to automatically remind the user via a network of previously set reminders to view/record a program for which the viewer had previously set a reminder, as taught by Lawler, since this provides the desirable advantage of preventing the user from failing to view/record a program for which the viewer has previously set a reminder.”

Leaving aside the issue of whether the “desirable advantages” to which the Examiner refers actually follow from the teachings of either of the references, it is respectfully submitted that the Lawler patent does not disclose the second feature of the claims that the Examiner concedes to be missing from Young. Specifically, Lawler does not disclose outputting a message to at least one user of the computerized system via a network communications device associated with the at least one user of the computerized system. In this regard, while the “central head” in Lawler supplies programming over a network 14 to multiple viewer stations 16 typically located in the homes of system user or subscribers, there is no disclosure of outputting a message to at least one user of the system via a network communications device associated with the at least one user. In particular, the network 14 of Lawler is not “a network communications device associated with at least one user.” It is noted that this feature of the present invention recognizes the mobility and active lives of system users, and as set forth in the specification at page 6, lines 10 and 11, the system pages or telephones a user with a reminder signal. To the extent that the Examiner is

reading network 14 as a device associated with the at least one user, claims 1,11 and 17 have been amended to recite that the network communications device is a mobile network communications device so that the association with the at least one user is apparent and the function of providing the recording reminders message to a mobile user is more clearly defined.

Claims 21 and 24 already provide that the message in question is provided to the at least one user via a pager associated with the at least one user so that it is respectfully submitted that these claims also clearly define over the network 14 of Lawler for at least this reason.

In summary, it is respectfully submitted that given the actual teachings of the Lawler reference, no combination of the Young and Lawler patents would result in the present invention as claimed in the claims now presented.

Allowance of the application in its present form is respectfully solicited.

END REMARKS